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09/667,072

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Jin Soo Lee

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EXAMINER

TRAN, PHILIP B

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 11/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/667,072

**Applicant(s)**

LEE ET AL:

**Examiner**

Philip B. Tran

**Art Unit**

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 13-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 27-28 and 32-33 are objected to because of the following informalities:

In claim 27, line 2, "key themes" should be "key frames".

In claim 28, line 1, "key themes" should be "key frames".

In claim 32, line 2, "key themes" should be "key frames".

In claim 33, line 1, "key themes" should be "key frames".

Appropriate corrections are required.

### ***Claim Rejections - 35 U.S.C. § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 13-20, 23-25 and 29-30 are rejected under 35 U.S.C. § 102(e) as being anticipated by Gerace, U.S. Pat. No. 5,991,735.

Regarding claim 13, Gerace teaches a computer-implemented method of describing user preferences pertaining to navigation of and access to multimedia content, the method comprising:

providing user preference information in a user profile, the user preference information describing browsing preference information that specifies a plurality of browsing preference, a first genre to which the plurality of browsing preferences apply, and a respective preference value for each browsing preference in the plurality of browsing preferences, wherein the respective preference value indicates relative importance of the corresponding browsing preference for browsing multimedia content of the first genre (= providing menu selections of various agate information such as stock market data, weather, sports, etc and providing targeting of appropriate audience based on psychographic or behavioral profiles of end users) [see Abstract and Figs. 2-5 and Col. 4, Line 28 to Col. 5, Line 8 and Col. 6, Lines 39-65 and Col. 12, Lines 20-64].

Regarding claim 14, Gerace further teaches the method of claim 13, wherein the plurality of browsing preferences is described in a hierarchical data structure [see Figs. 2-5].

Regarding claim 15, Gerace teaches a computer-implemented method of describing user preferences pertaining to navigation of and access to multimedia content, the method comprising:

providing browsing preferences describing a plurality of summary preferences that apply to a first genre of multimedia content, wherein the browsing preferences assign a respective preference value to each summary preference in the plurality of summary preferences, the respective preference value indicating relative importance of

the corresponding summary preference for browsing multimedia content of the first genre (= providing menu selections of various agate information such as stock market data, weather, sports, etc and providing targeting of appropriate audience based on psychographic or behavioral profiles of end users) [see Abstract and Figs. 2-5 and Col. 4, Line 28 to Col. 5, Line 8 and Col. 6, Lines 39-65 and Col. 12, Lines 20-64].

Regarding claim 16, Gerace further teaches the method of claim 15, wherein the plurality of summary preferences is described in a hierarchical data structure [see Figs. 2-5].

Claim 17 is rejected under the same rationale set forth above to claim 15.

Claim 18 is rejected under the same rationale set forth above to claim 16.

Regarding claim 19, Gerace further teaches the method of claim 13, wherein the respective preference value for each browsing preference in the plurality of browsing preferences defines a respective preference weight [see Col. 12, Lines 20-64].

Regarding claim 20, Gerace further teaches the method of claim 13, wherein the plurality of browsing preferences includes a first browsing preference that specifies browsing based on one or more characters in multimedia content of the first genre [see Figs. 2-5 and Col. 5, Lines 36-53 and Col. 6, Lines 39-65].

Regarding claim 23, Gerace further teaches the method of claim 13, wherein specifying the respective preference value for each browsing preference in the plurality of browsing preferences includes specifying the respective preference value based on the usage pattern of each browsing preference in the plurality of browsing preferences [see Col. 2, Lines 10-60 and Col. 4, Lines 40-57].

Regarding claim 24, Gerace further teaches the method of claim 15, wherein the respective preference value for each summary preference in the plurality of summary preferences defines a respective preference weight [see Col. 12, Lines 20-64].

Regarding claim 25, Gerace further teaches the method of claim 15, wherein the plurality of summary preferences includes a first summary preference that specifies a preferred summary type for the multimedia content of the first genre [see Col. 4, Lines 28-57 and Col. 12, Lines 20-64].

Claim 29 is rejected under the same rationale set forth above to claim 24.

Claim 30 is rejected under the same rationale set forth above to claim 25.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 21-22, 26-28 and 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gerace, U.S. Pat. No. 5,991,735 in view of Sezan et al (Hereafter, Sezan), U.S. Pat. No. 6,236,395.

Regarding claim 21, Gerace does not explicitly teach the plurality of browsing preferences includes a second browsing preference that specifies browsing using key frames from the multimedia content of the first genre.

However, Sezan, in the same field of multimedia content processing and retrieval endeavor, discloses browsing preference that specifies browsing using key frames from the multimedia content [see Sezan, Col. 22, Lines 5-33]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the use of key frames from the multimedia content in browsing preference, disclosed by Sezan, into describing user preferences pertaining to navigation of and access to multimedia content disclosed by Gerace in order to indicate at what level the key frames

should be displayed on a browsing slider. Thus, multimedia contents can be efficiently browsed and retrieved for viewing in a manner based on the ranking of objects and the type of displaying predefined by user preferences.

Regarding claim 22, Gerace does not explicitly teach storing the user profile in a movable storage medium.

However, Sezan, in the same field of multimedia content processing and retrieval endeavor, discloses user description scheme including the user's preference stored in a smart card [see Sezan, Col. 5, Line 37 to Col. 6, Line 22]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the use of storing the user profile in a movable storage medium such as smart card, disclosed by Sezan, into describing user preferences pertaining to navigation of and access to multimedia content disclosed by Gerace in order to efficiently and portably transfer the data from one device to another over the network.

Regarding claims 26-27, Gerace does not explicitly teach the summary type specifies using key frames from the multimedia content and specifies one or more key frames for browsing the multimedia content of the first genre.

However, Sezan, in the same field of multimedia content processing and retrieval endeavor, discloses browsing preference that specifies browsing using key frames from the multimedia content [see Sezan, Col. 22, Lines 5-33]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the



use of key frames from the multimedia content in browsing preference, disclosed by Sezan, into describing user preferences pertaining to navigation of and access to multimedia content disclosed by Gerace in order to indicate at what level the key frames should be displayed on a browsing slider. Thus, multimedia contents can be efficiently browsed and retrieved for viewing in a manner based on the ranking of objects and the type of displaying predefined by user preferences.

Regarding claim 28, Gerace does not explicitly teach the key frames include character-oriented browsing, character/place relation-oriented browsing, or time sequential browsing.

However, Sezan, in the same field of multimedia content processing and retrieval endeavor, discloses browsing preference that specifies browsing using key frames from the multimedia content including character-oriented browsing such as thumbnail view, slide view, frame view, shot view, key frame view and highlight view, etc [see Sezan, Col. 22, Lines 5-33]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the use of key frames from the multimedia content in browsing preference, disclosed by Sezan, into describing user preferences pertaining to navigation of and access to multimedia content disclosed by Gerace in order to indicate at what level the key frames should be displayed on a browsing slider. Thus, multimedia contents can be efficiently browsed and retrieved for viewing in a manner based on the ranking of objects and the type of displaying predefined by user preferences.

Claims 31-32 are rejected under the same rationale set forth above to claims 26-27.

Claim 33 is rejected under the same rationale set forth above to claim 28.

Regarding claim 34, Gerace does not explicitly teach the data storage device includes a movable storage medium for storing the data structure specifying the plurality of summary preferences.

However, Sezan, in the same field of multimedia content processing and retrieval endeavor, discloses user description scheme including the user's preference stored in a smart card [see Sezan, Col. 5, Line 37 to Col. 6, Line 22]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the use of storing the user profile in a movable storage medium such as smart card, disclosed by Sezan, into describing user preferences pertaining to navigation of and access to multimedia content disclosed by Gerace in order to efficiently and portably transfer the data from one device to another over the network.


### ***Conclusion***

6. Applicant's arguments with respect to claims 13-34 have been considered but are moot in view of the new ground(s) of rejection.

7. A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS OF 37 CAR 1.136(A).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (571) 272-3991. The Group fax phone number is (571) 273-8300. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar, can be reached on (571) 272-4006.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Philip B. Tran  
Primary Examiner  
Art Unit 2155  
November 09, 2006